

OLL 85-3518
13 November 1985

MEMORANDUM FOR THE RECORD:

SUBJECT: S. 1815 - Conversations With Various Community
Representatives

1. On November 8, 1985, I called the representatives of various agencies in the Intelligence Community. My purpose was to ascertain their views on an exemption to S. 1815 for employees of private contractors on a Community-wide basis, as opposed to an agency-by-agency approach. (without making any commitments as to that sort of approach) and to ascertain whether or not there was a factual basis within their agencies for seeking such an exemption.

2. Emil Moschella, Federal Bureau of Investigation (FBI) indicated that the intelligence side of the FBI had a very limited amount of activity in this area. FBI also had some activity on the law enforcement side. Nevertheless, FBI would concur on sort of Community approach to the problem and leave the law enforcement side to another day.

3. Terry Thiele, Attorney Advisor, Department of the Treasury, (566-2688) did not believe that Treasury had much if any activity on the intelligence side of Treasury. What activity there was would be on the law enforcement side. In addition, he understood that the Secretary and Deputy Secretary of Treasury were personally opposed to the use of polygraphs. Nevertheless, he believed that Treasury could concur in a Community-wide approach if that concurrence were on a low-key basis.

4. Robert Rabben, Assistant General Counsel, Legislative Division, Department of Energy (252-6718), was not certain of the state of Energy use of polygraphs for Energy intelligence contractors. Energy, however, does use them in regard to private security guards employed by private firms guarding nuclear materials. Mr. Rabben was aware of H.R. 1524 and, in fact, noted Energy's efforts to obtain an exemption for contractors working on matters relating to the "national defense".

5. I conveyed my thought that the House process, at this point, was too far along to take any unified or broad-brush

approach to the problem.. On the Senate side, however, because it was early on, because Senator Hatch might be favorably disposed to our sorts of concerns and because of his cross-over membership on the Senate Select Committee on Intelligence (SSCI), it might be possible to obtain something more. Mr. Rabben promised to contact his intelligence people to determine what sort of use they made of polygraphs vis a vis private contractors and get back to me.

STAT 6. [] DIA and Ted Hess, DoD had not returned my calls as of noon, November 8, 1985.

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Legislation Division
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